

DE ✓
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MAY 22 2007

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Department of Water Resources
Eastern Region

OK JC

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
WR 29-10636					

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Department of Water Resources
Eastern Region

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$25 -
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

MARJORIE MATHEWS

4. New Owner/Claimant(s)

SAVANNAH TRUST (DONALD T. STEPHENS)
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or ☒ Trustee

New Mailing Address

RT 2 NORTH BOX 168E

City, State and ZIP Code

POCAHELLO, IDAHO 83201

New Telephone Number

208-238-1139

208-406-7807

5. Date you acquired the property

5/10/2007

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number <u>2910636</u>		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

Savannah Inust
Donald Troy Stephens (title if applicable)
Justice (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____
 Received by JC
 Processed by _____ AJ

Date _____
 Date 5-31-07
 Date _____

Receipt Amt. \$ 25 -
 Receipt No. E032952
 WR _____ Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**INSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary. Please attach additional sheets to the form if you require additional space to describe or explain any of the questions on the form.

Effective July 1, 2000, the Idaho Legislature amended Section 42-248, Idaho Code to include a provision for fees to file a Notice of Change in Water Right Ownership. Please see details at Line 8, below, to determine if fees are required for your filing.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office if you would like more information or need help completing this form (a list of our offices are listed on page 2 of these instructions), or call 1-800-451-4129. Water right information can be found on the Department's website using the "On-Line Data" search at: www.idwr.idaho.gov.

LINE INSTRUCTIONS:

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s).** Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. IDWR cannot process this change without documentation of ownership. The preferred types of documentation are listed. Contact IDWR if you have difficulty obtaining this information. **Do not** obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s).
4. Enter the name, mailing address, and telephone numbers of the new owner/claimant(s) and indicate the relationship between multiple owners by using the connector "and", "or", or "and/or" as indicated on your deed or other evidence of ownership

5. Provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may have purchased only a portion of the water right(s) held by the seller. If this change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. For each water right requiring a split between owners, fill in the appropriate spaces. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip line 6 and go to line 7.**
7. The new owner(s) must sign the form in the space(s) provided. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the filing fee is \$25 per water right, except for those water rights that will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided.
9. When complete, retain a copy and **file the original form with the IDWR office nearest you, with copies of your ownership documents and the appropriate filing fee:**

IDWR Northern Region
7600 Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
(208) 762-2800

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

- OR -

IDWR State Office
322 East Front St
Sixth Floor
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4800

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
2240 East Center
Pocatello, ID 83201

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 196547-P (ts)

Date: May 10, 2007

For Value Received, **Marjorie Mathews, an unmarried person**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Savannah Trust**, hereinafter called the Grantee, whose current address is **RR 2 N Box 168 E, Pocatello, ID 83202**, the following described premises, situated in **Bannock County, Idaho**, to-wit:

PARCEL 1:

A PORTION OF THE W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 10, TOWNSHIP 5 SOUTH, RANGE 34 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ WITH THE NORTH LINE OF CEMETERY ROAD; THENCE ALONG SAID WEST LINE, NORTH 434.333 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE, NORTH 434.333 FEET; THENCE PARALLEL WITH THE NORTH LINE OF SAID CEMETERY ROAD, EAST 302 FEET; THENCE PARALLEL WITH THE WEST LINE OF SAID W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SOUTH 434.333 FEET; THENCE ALONG A LINE THAT IS PARALLEL TO SAID CEMETERY ROAD, WEST 302 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

AN EASEMENT FOR ROAD AND UTILITY PURPOSES OVER A STRIP OF LAND, 50 FEET WIDE, IN THE W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 34 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, LYING 25 FEET ON EACH SIDE OF THE CENTERLINE DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ WITH THE NORTH LINE OF CEMETERY ROAD; THENCE ALONG SAID NORTH LINE, EAST 327 FEET TO THE TRUE POINT OF BEGINNING; THENCE PARALLEL WITH THE WEST LINE OF SAID W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, NORTH 1302.999 FEET, MORE OR LESS TO THE NORTH LINE OF SAID W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

FOURTH COMMITMENT SCHEDULE A

1. Commitment Date : **April 19, 2007 at 7:30 A.M.**

2. Policy or Policies to be issued:

Policy Amount Premium Amount

Owner's Policy

Standard Owner's Policy (6/17/06) Form 1402-06

\$ 53,000.00

\$ 391.50

with applied credit of

\$ None

Proposed Insured:

Savannah Trust

Endorsements: **FA-7A**

\$ 40.00

3. A fee simple interest, as to Parcel 1 and an easement interest as to Parcel 2 in the land described in this Commitment is owned, at the Commitment Date by:

Marjorie Mathews, an unmarried person

4. The land referred to in this Commitment is described as follows:

PARCEL 1:

A PORTION OF THE W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 10, TOWNSHIP 5 SOUTH, RANGE 34 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

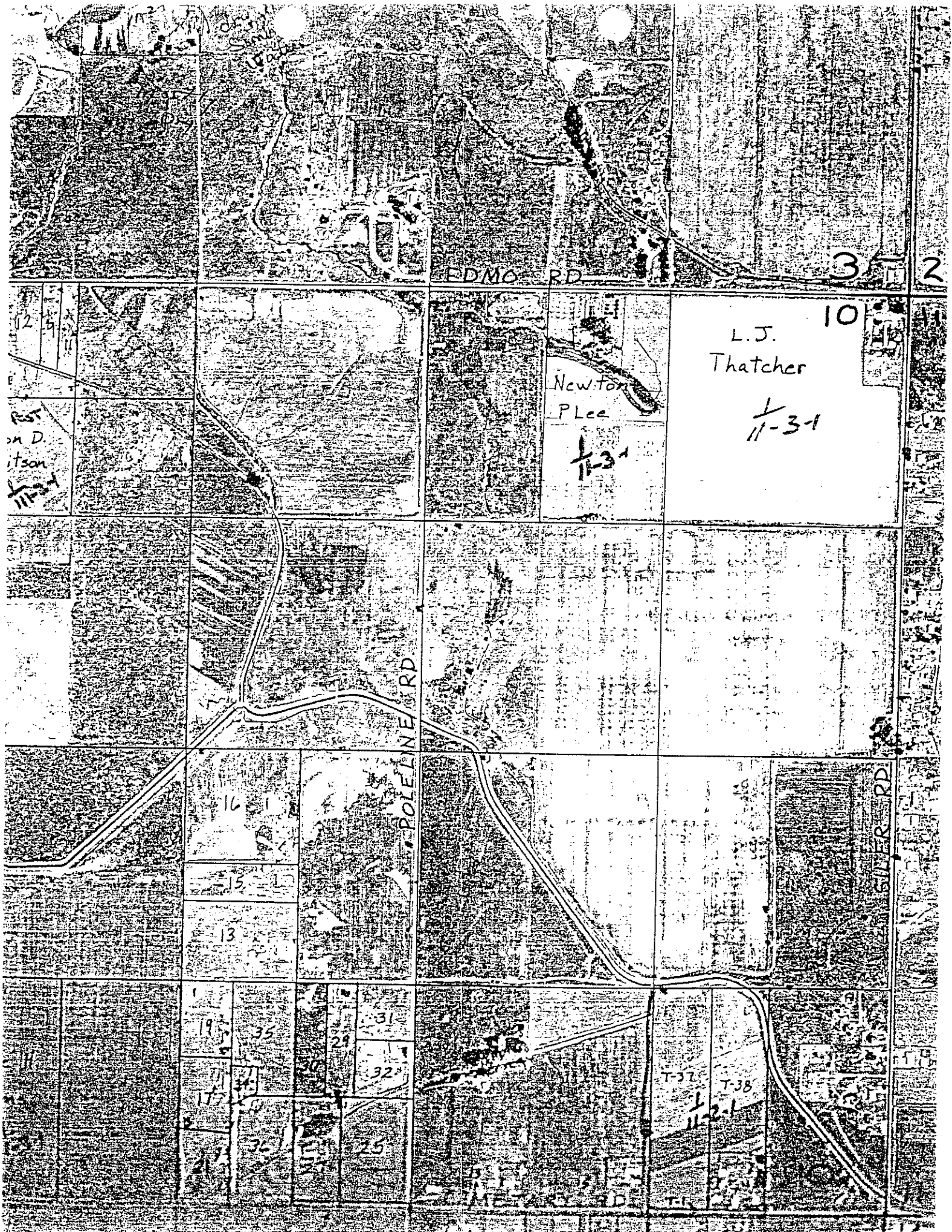
BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ WITH THE NORTH LINE OF CEMETERY ROAD; THENCE ALONG SAID WEST LINE, NORTH 434.333 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE, NORTH 434.333 FEET; THENCE PARALLEL WITH THE NORTH LINE OF SAID CEMETERY ROAD, EAST 30 FEET; THENCE PARALLEL WITH THE WEST LINE OF SAID W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SOUTH 434.333 FEET; THENCE ALONG A LINE THAT IS PARALLEL TO SAID CEMETERY ROAD, WEST 302 FEET TO THE TRUE POINT OF BEGINNING.

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Commonly known as: RR 2 N Box 168 E, Pocatello, ID 83202



EDMO RD

3 2

10

L.J.
Thatcher

11-31

Newton
Place

11-31

POLELINE RD

GILBERT RD

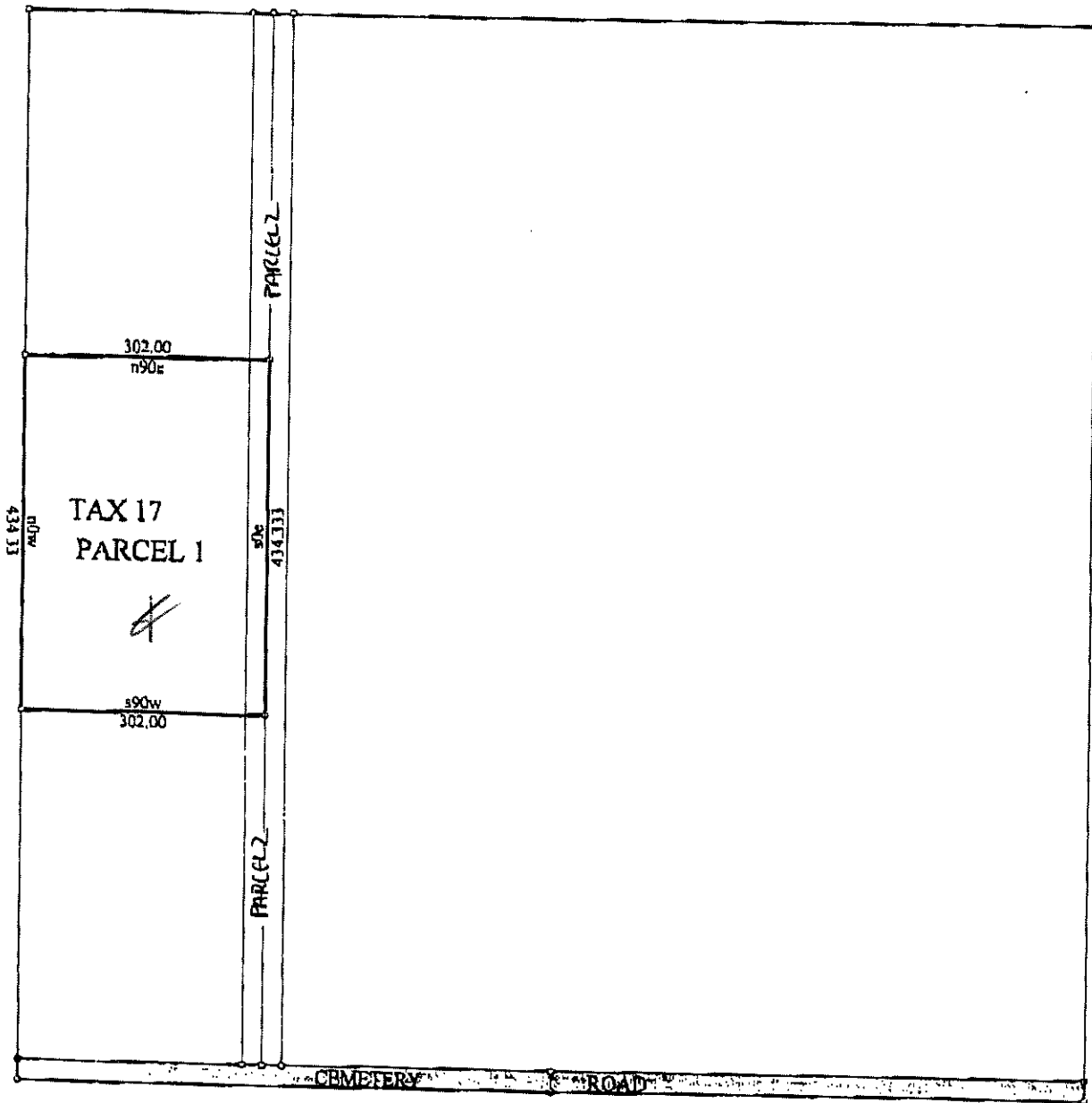
T-37 T-38

11-2-1

NETAR RD

10-5-34

SE 1/4 SW 1/4 SECTION 10 TOWNSHIP 5 SOUTH, RANGE 34 E.B.M.



THIS SKETCH IS MADE SOLELY FOR
THE PURPOSE OF ASSISTING IN
LOCATING THE PREMISES. THE
COMPANY ASSUMES NO LIABILITY
FOR ALLEGED LOSS OR DAMAGE WHICH
MAY RESULT FROM RELIANCE ON THIS
MAP



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

May 24, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

SAVANNAH TRUST
DONALD T STEPHENS TRUSTEE
RT 2 N BOX 168E
POCATELLO ID 83201

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MAY 31 2007

Department of Water Resources
Eastern Region

THE "NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP" FOR 29-10636
HAS BEEN RETURNED FOR THE FOLLOWING ITEM(S):

___ FEE OF \$25.00 PER WATER RIGHT per Idaho Code 42-248 and 42-1409(6)

___ SIGNATURE

☒ COPY OF DEED, TITLE POLICY, CONTRACT OF SALE, OR OTHER
LEGAL DOCUMENT indicating your ownership of the property and water
rights in question,

☒ LEGAL DESCRIPTION OF PROPERTY

☒ PLAT OF PROPERTY OR SURVEY MAP (usually on file with the county)

___ USDA FARM SERVICE AGENCY (FORMERLY ASCS) AERIAL PHOTO
with irrigated acres outlined and point(s) of diversion clearly marked.

PLEASE ENCLOSE THE REQUESTED ITEM(S) AND RESUBMIT THE
ENTIRE PACKET TO :

Jennifer Crabtree
Idaho Department of Water Resources
900 N. Skyline Dr.
Idaho Falls, ID 83402

*If Enclosed Info is Insufficient, please contact
1st American Title Co, they will fax needed info
2240 E Center
Pocatello Idaho 83201*